

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Duane James

Docket No. 4:21-CR-62-1D

Petition for Action on Supervised Release

COMES NOW Jessica A. Brocz, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Duane James, who, upon an earlier plea of guilty to Hobbs Act (5 counts), in violation of 18 U.S.C. § 1951(a), was sentenced in the District of Maryland, by the Honorable Deborah K. Chasanow, U.S. District Judge, on August 18, 2014, to the custody of the Bureau of Prisons for a term of 151 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years. On December 17, 2020, his sentence was reduced to time served pursuant to 18 U.S.C. § 3582(C)(1)(A). Duane James was released from custody on December 22, 2020, at which time the term of supervised release commenced.

On October 7, 2021, a Transfer of Jurisdiction/Violation Report was submitted to the court requesting jurisdiction from the District of Maryland and advising that the defendant tested positive for cocaine on September 27, 2021. James was instructed to participation in substance abuse treatment. The court accepted the transfer of jurisdiction on October 15, 2021, and the defendant's case was assigned to the Honorable Judge James C. Dever III, United States District Judge.

On January 13, 2022, a Violation Report was submitted after the defendant tested positive for cocaine on January 7, 2022. The defendant agreed to attend weekly substance abuse treatment, and the amount of drug testing was increased. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

During a routine home visit on February 23, 2022, the defendant tested positive for cocaine via instant urine screen. James readily admitted using the substance on February 14, 2022, and he signed an admission of drug use form. The defendant agreed to attend weekly substance abuse treatment and drug testing will be increased. As a sanction for this violation, the probation office is recommending that he adhere to 60 days curfew with electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Jessica A. Brocz
Jessica A. Brocz
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2350
Executed On: February 24, 2022

ORDER OF THE COURT

Considered and ordered this 28 day of February, 2022, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge